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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,620	08/30/2001	Junichi Iwasaki	M72-135694M/MTV	6739
30743	7590	09/01/2005	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			WU, XIAO MIN	
			ART UNIT	PAPER NUMBER
			2674	

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/941,620

Applicant(s)

IWASAKI, JUNICHI

Examiner

XIAO M. WU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2 and 7-18 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/15/2005 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2, 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 6,055,592) in view of Kniazze et al (US Patent No. 6,417,911).

As to claim 2, Smith discloses a mouse connected to a personal computer (212) comprising: a casing body (100), provided with a space (106) for housing a removable data storage medium (104) therein; a data processor (202, 204), which communicates data bidirectionally between the personal computer (108, Figs. 2 and 7, and also see col. 3, lines 12-17, and lines 31-41) and the data storage medium housed in the casing body.

It is noted that Smith does not disclose a door member which covers an opening formed on the casing body, through which the data storage medium is inserted or ejected, in a closed position thereof, wherein the door member constitutes a part of an outer face of casing body at

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the close positioned thereof, the door member being at the closed position after insertion or ejection of the data storage medium.

Kniazzezh is cited to teach a door apparatus (624, Fig. 6) for a memory card (28, Fig. 6). The door member (624) which covers an opening (26) formed on the casing body, through which the data storage medium is inserted or ejected, in a closed position thereof, wherein the door member constitutes a part of an outer face of the casing body at the closed position thereof, the door member being at the closed position after insertion or ejection of the data storage medium (see Fig. 6). It would have been obvious to one of ordinary skill in the art to have modified Smith with the features of the door for a memory card as taught by Kniazzezh so as to prevent dirt getting into the memory storage space (see Fig. 6).

As to claim 7, it would have been obvious to have included an urging member which urges the door member toward the closed position so that the memory card can be secured inside the housing.

As to claim 14, Smith discloses the mouse comprising a cable ((108).

3. Claims 8-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 6,055,592) in view of Kniazzezh et al (US Patent No. 6,417,911) as applied to claims 2, 7 above, and further in view of Buras, Jr. et al. (US Patent No. 5,559,672).

As to claim 8 and 9, it is noted that both Smith and Kniazzezh do not disclose a button member or ejector, to open the door member. Buras is cited discloses a door apparatus for memory card including a button member or ejector, which opens the door member against the urging force of the urging member when the button member is depressed (col. 6, lines 53-60). It would have been obvious to one of ordinary skill in the art to have modified Smith and Kniazzezh

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with the features of the button member as taught by Buras so as to provide an easy way to eject the memory card from the housing.

As to claim 10, 13, Buras discloses the ejector includes a slider (44, 46) which is supported within the casing so as to be slidable in an inserting/ejecting direction of the data storage medium.

As to claim 11, it would have been obvious to designed a slider which can be fitted for the size or the shape of the memory card.

4. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 6,055,592) in view of Kniazzezh et al (US Patent No. 6,417,911) and as applied to claims 2, 14 above, and further in view of Armstrong (US Patent No. 6,198,473).

As to claims 15-17, it is noted that both Smith and Kniazzezh do specifically disclose the cable is connected t a USB or PS/2 standard connector. It is also noted that both Smith and Buras do not disclose that the mouse is a wireless mouse. Armstrong is cite to teach a mouse can be either a wireless or cable connection mouse (see col. 1, line 41). Armstrong further discloses the mouse can be connected to a USB or PS/2 standard connector of the PC (col. 22, lines 31). It would have been obvious to one of ordinary skill in the art to have modified Smith as modified with the features of the wireless mouse and the USB or PS/2 standard connector for a wire connection mouse as taught by Armstrong because the wireless mouse can provide a convenient way for controlling the cursor and the USB or PS/2 is a standard connector for the mouse connecting to the PC.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 6,055,592) in view of Kniazzezh et al (US Patent No. 6,417,911) and Buras, Jr. et al. (US

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Patent No. 5,559,672) as applied to claim 10 above, and further in view of Ackeret (US Patent No. 4,807,749).

As to claim 12, it is noted Smith, Kniazzezh and Buras do not teach the slider includes a moveable member which is exposed to the outside of the casing body. Ackeret is cited to teach a storage device which include a moveable housing which is exposed to the outside of the casing body so as to be movable in the inserting/ejecting direction of the data storage medium (see Fig. 3). It would have been obvious to one of ordinary skill in the art to have modified Smith a modified with the features of the movable housing as taught by Ackeret, so that the user can change the memory medium from outside of the device.

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 6,055,592) in view of Kniazzezh et al (US Patent No. 6,417,911) as applied to claim 2 above, and further in view of Futamura (US Patent No. 5,794,553).

As to claim 18, it is noted that Smith discloses that the memory card for storing alphanumeric data and symbol data but does not disclose that the removable storage medium is usable by the computer as auxiliary storage for reading and writing data. However, using a memory card such as a flash memory as an auxiliary storage for reading and writing data is well known in the art such as taught by Futamura (see Figs. 1 and 3 and col. 8, lines 26-32 of Futamura). It would have been obvious to one of ordinary skill in the art to have used the flash memory as taught by Futamura for the memory card of Smith so that the computer can read the information from the memory card and also write the data to the memory card.

Allowable Subject Matter

7. Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments filed 7/12/2005 have been fully considered but they are not persuasive.

With respect to claim 2, applicant argues that there is no suggestion in Smith of having the smart card serve as an auxiliary storage medium for the computer. This argument is not persuasive because claims 2-3, 7-11 and 13-14 do not recite "an auxiliary storage medium" for computer. These claims only require "removable data storage medium" and such limitation is met by Smith because Smith's memory card is for storing data and such data can be retrieved by the computer. With respect to the newly added limitation of "bidirectional" to the data communication between the personal computer and the data storage medium, Smith clearly teaches that the cable is bidirectional to the data communication between the personal computer and the data storage because the computer can send a request to the mouse and the retrieve information from the mouse (108, Figs. 2 and 7, and also see col. 3, lines 12-17, and lines 31-41). Applicant also argues that the "door" in Kniazzezh is not a door but merely a protrusion that contains an opening. This argument is not persuasive. As shown in 6, Kniazzezh clearly discloses a door 624 as a memory card door (also see col. 4, line 3).

Conclusion


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to XIAO M. WU whose telephone number is 571-272-7761. The examiner can normally be reached on 6:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PATRICK EDOUARD, can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

x.w.

August 29, 2005


XIAO M. WU
Primary Examiner
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